

AMENDED IN ASSEMBLY SEPTEMBER 5, 2001

AMENDED IN ASSEMBLY AUGUST 28, 2001

AMENDED IN ASSEMBLY AUGUST 20, 2001

AMENDED IN SENATE JUNE 4, 2001

SENATE BILL

No. 72

Introduced by Senator Kuehl

January 10, 2001

An act to add Section 13383.5 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 72, as amended, Kuehl. Storm water.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of storm water by municipalities and industries in accordance with the federal national pollutant discharge elimination system (NPDES) permit program.

This bill would require the state board to develop, before January 1, 2003, minimum monitoring requirements for ~~each municipality~~ *regulated municipalities* that ~~is~~ *were* subject to a storm water permit on or before December 31, 2001, and minimum standard monitoring requirements for regulated industries, as specified, and would require the requirements established in accordance with the bill's provisions to be included in all storm water permits *on or before July 1, 2008*. ~~The bill would require every regulated municipality and industry subject to the bill, before July 1, 2004, to implement a storm water monitoring program in accordance with the bill's provisions. The bill would require regional boards, commencing in 2004, to summarize the results of the~~

~~storm water monitoring programs in their regions. The bill would require the state board, commencing in 2004, to make available to the public via the Internet a summary of the results obtained from the storm water monitoring conducted in accordance with the bill, in a year in which the Legislature appropriates sufficient funds for that purpose.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13383.5 is added to the Water Code, to
2 read:

3 13383.5. (a) As used in this section, “regulated
4 municipalities and industries” means the municipalities and
5 industries required to obtain a storm water permit under Section
6 402(p) of the Clean Water Act (33 U.S.C. Sec. 1342(p)) and
7 implementing regulations.

8 (b) This section only applies to ~~a municipality that is regulated~~
9 *municipalities that were* subject to a storm water permit on or
10 before December 31, 2001, *and to regulated industries that are*
11 *subject to the General Permit for Storm Water Discharges*
12 *Associated with Industrial Activities Excluding Construction*
13 *Activities.*

14 (c) Before January 1, 2003, the state board shall develop
15 minimum monitoring requirements for each regulated
16 municipality and minimum standard monitoring requirements for
17 ~~regulated industries within the state subject to the General Permit~~
18 ~~for Storm Water Discharges Associated with Industrial Activities~~
19 ~~Excluding Construction Activities. This program shall include,~~
20 *regulated industries. This program shall include,* but is not limited
21 to, all of the following:

22 (1) Standardized methods for collection of storm water
23 samples.

24 (2) Standardized methods for analysis of storm water samples.

25 (3) A requirement that every sample analysis under this
26 program be completed by a state certified laboratory or by the
27 regulated municipality or industry in the field in accordance with
28 the quality assurance and quality control protocols established
29 pursuant to this section.

30 (4) A standardized reporting format.

(5) Standard sampling and analysis programs for quality assurance and quality control.

(6) Minimum detection limits.

(7) Annual reporting requirements for regulated municipalities and industries.

(8) For the purposes of determining constituents to be sampled for, sampling intervals, and sampling frequencies, to be included in a municipal storm water permit monitoring program, the regional board shall consider ~~all the following information~~, *as the following information, as the regional board determines to be applicable:*

(A) Discharge characterization monitoring data.

(B) Water quality data collected through the permit monitoring program.

(C) Applicable water quality data collected, analyzed, and reported by federal, state, and local agencies, and other public and private entities.

(D) Any applicable listing under Section 303(d) of the Clean Water Act (33 U.S.C. Sec. 1313).

(E) Applicable water quality objectives and criteria established in accordance with the regional board basin plans, statewide plans, and federal regulations.

(F) Reports and studies regarding source contribution of pollutants in runoff not based on direct water quality measurements.

(d) The requirements prescribed pursuant to this section shall be included in all storm water permits *for regulated municipalities and industries that are reissued following development of the requirements described in subdivision (c). Those permits shall include these provisions on or before July 1, 2008.*

~~(e) Before July 1, 2004, every regulated municipality and industry shall implement a storm water monitoring program. This program shall include, at a minimum, all of the components of the program developed by the state board pursuant to this section.~~

~~(f) Commencing in 2004, the regional boards shall summarize the results of the storm water monitoring programs in their regions as part of their water quality assessments. Commencing in 2004, In a year in which the Legislature appropriates sufficient funds for that purpose, the state board shall make available to the public via~~

- 1 the Internet a summary of the results obtained from storm water
- 2 monitoring conducted in accordance with this section.

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